

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : James E. Toney
Serial No. : 10/658,105
Filed : September 9, 2003
Title : MULTI-BARRIER PHOTONIC HETEROSTRUCTURES
Docket : BAT 0063 PA/40078.243
Art Unit : 2811

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on March 8, 2004.


James E. Beyer Reg. No. 39,564

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56, 1.97, AND 1.98

Applicant submits herewith patents, publications, and other information of which he is aware, which he believes may be material, as defined in 37 CFR §1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 CFR §1.97(h), constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103, and Applicant reserves the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish otherwise. Further, pursuant to 37 CFR §1.97(g), the filing of this Statement should not be construed as a statement that a search has been made or that no other material information exists.


Serial No. 10/658,105
Docket No. BAT 0063 PA/40078.243

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is believed to be filed before the mailing date of a first office action on the merits.

The Office has waived the requirement pursuant to 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A.

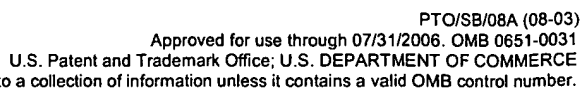
Respectfully submitted,
DINSMORE & SHOHL LLP

By


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Registration No. 39,564

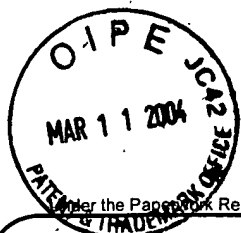
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JEB/kec
Encls.



Application Number	10/658,105
Filing Date	September 9, 2003
First Named Inventor	James E. Tomlinson
Art Unit	2811
Examiner Name	
Attorney Docket Number	BAT 0063 PA/

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/658,105
				Filing Date	September 9, 2003
				First Named Inventor	James E. Toney
				Art Unit	2811
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	BAT 0063 PA/

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		GADOT F. et al.; Transmission Resonances in Ultra-Wideband Composite Metallic Photonic Crystals; Electronic Letters, IEE Steveage; GB; Vol. 35, No. 6; 18 March 1999; pps. 478-480	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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